

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: 6/12/08

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STOLTHAVEN HOUSTON, INC.,

Plaintiff,

v.

RACHEL B, its engines, tackle apparel, etc., *in rem*,
and HILTVEIT ASSOCIATES, INC. and
ZAREPTA CHEMICAL KS, *in personam*,

Defendants.
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08 Civ. 4327 (RPP)

ORDER TO SHOW CAUSE

Defendant Zarepta Chemical KS ("Zarepta") having applied to this Court for an Order requiring Plaintiff, Stolthaven Houston, Inc. ("Plaintiff"), to show cause why this Court's *Ex Parte* Order for Process of Maritime Attachment and Garnishment should not be vacated, and the Court having considered the Declaration of Morten Werring, dated June 11, 2008, the Affidavit of William J. Honan, dated June 11, 2008, the exhibits thereto, and the accompanying Memorandum of Law, and for good cause shown, it is hereby

ORDERED, that Plaintiff is to show cause at a hearing before this Court, at Courtroom 24A, United States Courthouse, 500 Pearl Street, New York, NY 10007, on the 16th day of JUNE, 2008, at 2PM, or as soon thereafter as counsel may be heard, why an Order should not be issued pursuant to Supplemental Rule E of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure:

- (1) Vacating the attachment of Zarepta's assets; and,

- (2) Awarding Defendant Zarepta such other and further relief as may be just and proper in the premises; and it is further

ORDERED, that hand delivery of a copy of this Order and the aforementioned moving papers upon Plaintiff's counsel, Don P. Murnane, Jr., Esq. of Freehill Hogan & Mahar LLP, 80 Pine Street, New York, New York 10005, (212) 425-1900, on or before June 12, 2008, at 12 noon p.m., shall be deemed good and sufficient service thereof; and it is further

ORDERED, that Plaintiff shall serve answering papers, if any, on or before June 13, 2008, at 5:00 p.m., by hand delivery to Holland & Knight LLP, 195 Broadway, New York, New York 10007, Attention: William J. Honan, Esq. and Francesca Morris, Esq.; and it is further

ORDERED, that Defendant shall serve reply papers, if any, on or before June 16, 2008, at 10 AM p.m., by hand delivery to Plaintiff's counsel.

Dated: New York, New York
June 12, 2008

TIME OF ISSUANCE: 10 AM

SO ORDERED:


UNITED STATES DISTRICT JUDGE